

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re: CURWOOD-LEWIS PRICE,

Debtor.

_____ /

Curwood-Lewis Price,

Case No. 14-11238

Bankruptcy Case No. 12-62449

Appellant.

_____ /

**ORDER DENYING APPLICATION FOR
LEAVE TO FILE INTERLOCUTORY APPEAL**

Before the court is Curwood-Lewis Price's application for leave to appeal an order entered by the bankruptcy court on January 24, 2014. In that order, the court stated, "because Debtor is incarcerated, Debtor shall delegate a person with knowledge of his financial affairs to appear for him at the first meeting of creditors scheduled for Thursday, February 27, 2014 at 10:30 a.m." Price contends that this infringes upon his right to self-representation.

The court will deny leave to appeal. First, Price has not filed a designation of the record on appeal or paid the filing fee, pursuant to Fed. R. Bankr. P. 8001(a). Second, the bankruptcy court's decision is not a final order. As a result, Price may appeal only with leave of the court. See 28 U.S.C. § 158(a)(3). "[I]nterlocutory

bankruptcy appeals should be the exception, rather than the rule.” United States Trustee v. PHM Credit Corp., 99 B.R. 762, 767 (E.D. Mich. 1989); see also In re A.P. Liquidating Co., 350 B.R. 752, 755 (E.D. Mich. 2006) (Hood, J.). The court may permit an interlocutory appeal if “(1) the order involves a controlling question of law; (2) a substantial ground for difference of opinion exists regarding the correctness of the decision; and (3) an immediate appeal may materially advance the ultimate termination of the litigation.” A.P. Liquidating, 350 B.R. at 755 (quoting West Tenn. Chapter of Associated Builders & Contractors, Inc. v. City of Memphis, 293 F.3d 345, 350 (6th Cir. 2002)). Interlocutory review “is granted sparingly and only in exceptional cases.” Id. Price has not explained how his appeal meets this standard.

Accordingly, IT IS HEREBY ORDERED that Price’s application for leave to file interlocutory appeal is DENIED.

s/John Corbett O’Meara
United States District Judge

Date: April 29, 2014

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, April 29, 2014, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager